

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**NELSON WHITE, JR., et al.,**

**Plaintiffs,**

**v.**

**THE PNC FINANCIAL SERVICES  
GROUP, INC., et al.,**

**Defendants.**

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**CIVIL ACTION**

**NO. 11-7928**

**ORDER**

**AND NOW**, this 9<sup>th</sup> day of January, 2017, after consideration of the plaintiffs' motion to lift stay and for leave to amend the complaint (Doc. No. 224), defendants' memorandum of law in opposition to this motion (Doc. No. 227), plaintiffs' reply brief in further support of their motion (Doc. No. 231), and defendants' sur-reply in opposition to plaintiffs' motion for leave to amend (Doc. No. 236), **IT IS HEREBY ORDERED** that:

1. The stay that was imposed on March 11, 2015 (Doc. No. 219) is **LIFTED**.
2. The plaintiffs' motion for leave to amend their complaint to modify their claims under RESPA is **GRANTED**.
3. The plaintiffs' motion for leave to amend their complaint to add claims under RICO is **DENIED**.
4. The Clerk of Court is directed to docket plaintiffs' proposed amended complaint (Doc. No. 224-2) as "plaintiffs' third amended class action complaint."

5. Defendants may respond to plaintiffs' third amended class action complaint, in accordance with the Federal Rules of Civil Procedure, by filing either an answer or motion within 21 days of the date that the Clerk of Court docketed the third amended class action complaint.<sup>1</sup>

BY THE COURT:

/s/ *Lawrence F. Stengel*

LAWRENCE F. STENGEL, J.

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<sup>1</sup> In accordance with this Order, any RICO claims shall be stricken with prejudice from plaintiffs' third amended class action complaint.